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C S 2 Cong House
Sept 3 1862
1st Cong 2 sess

[House of Representatives, No. 18.]

HOUSE—Sept. 3, 1862. Read first and second times, postponed, made special order after the Bill for Increasing the Army, and ordered to be printed.

[By Mr. PUGH, from Military Committee.]

A BILL

To be entitled "An Act to Exempt Certain Persons from Service in the Provisional Army of the Confederate States.

1 SECTION 1. *The Congress of the Confederate States of*
2 *America do enact*, That certain persons, as hereinafter
3 provided, are exempted from service in the Provisional
4 Army of the Confederate States.

5 I. Persons unfit for military service by reason of
6 mental or physical incapacity, under rules to be pre-
7 scribed by the Secretary of War.

8 II. The Vice President and members of both Houses
9 of Congress; and members of the Legislatures of the
10 several States, and the officers of Congress and the Le-
11 gislatures.

12 III. Officers, Judicial and Executive, of the Confed-

13 erate and State Governments, who may be elected or
 14 appointed according to law : *Provided*, That in counties,
 15 parishes or districts divided into beats or civil districts,
 16 having more than one justice of the peace, only the senior
 17 justice thereof shall be exempted ; and in counties,
 18 parishes or districts not so divided, only such justices
 19 shall be exempt as may be specially elected or appointed
 20 to hold courts of record ; and not exempting constables,
 21 nor the deputies of clerks or of sheriffs, nor postmasters,
 22 nor the clerks or deputies of postmasters, nor assistant
 23 clerks or messengers in the several Executive Depart-
 24 ments of the Confederate Government, except those
 25 appointed or approved by the heads of those Depart-
 26 ments ; and Provost Marshals are hereby prohibited from
 27 employing any clerk, or other assistant, or agent in their
 28 offices, who is subject to military service, and has not been
 29 discharged therefrom, and no person subject to military
 30 service shall be employed as clerk, agent or assistant by
 31 quartermasters or commissaries, or assistant quartermas-
 32 ters or commissaries, except such as may be appointed
 33 by the quartermaster or commissary general.

34 IV. Persons actually and necessarily engaged in car-

35 rying the mail, the number on any post route to be deter-
36 mined by the Post Master General.

37 V. Ferrymen on post routes, not exceeding one at any
38 locality.

39 VI. Pilots and persons engaged in the marine ser-
40 vice.

41 VII. The presidents, superintendents, conductors, the
42 treasurer, the chief clerk, engineers, managers and me-
43 chanics, in the active service and employment of any
44 railroad company, not to embrace laborers, porters or
45 messengers.

46 VIII. The president, general superintendent and ope-
47 rators of telegraph companies, and the local superinten-
48 dent and operators of said companies, the latter not to
49 exceed one in number at any locality having less than
50 five thousand population, and not to exceed two at any
51 place but that of the Seat of Government of the Con-
52 federate States.

53 IX. The president, superintendents, captains, chief
54 clerks, engineers and mechanics of all companies active-
55 ly engaged in river and canal navigation, and all cap-

56 tains of boats in actual employment, and the engineers
57 thereon.

58 X. The Public Printers, and all foremen and journey-
59 men printers actually employed in the public printing of
60 the Confederate and State governments, or in printing
61 newspapers.

62 XI. Such physicians, and such shoe-makers and tan-
63 ners, engaged in the business of manufacturing shoes or
64 leather for sale, and such harness makers, saddlers, and
65 millers, actually employed in their trades, as the Secre-
66 tary of War may consider necessary to their communi-
67 ties or the public service.

68 XII. Superintendents of public hospitals and lunatic
69 asylums and the regular nurses and attendants therein,
70 and the teachers employed in the institutions for the deaf
71 and dumb.

72 XIII. In each apothecary store now established and
73 doing business, one apothecary or practical druggist.

74 XIV. Superintendents and operators in wool and cot-
75 ton factories, who may be exempted by the Secretary of
76 War.

77 VX. Professors and teachers in State military schools

78 or institutes, and the cadets therein at the date of this
 79 act, and all presidents and professors of colleges and
 80 academies, and all teachers having as many as twenty
 81 scholars in regular attendance upon their schools; and
 82 all professors and teachers in theological seminaries and
 83 the students now therein as candidates for the ministry;
 84 ministers of the gospel in the regular discharge of their
 85 ministerial duties.

86 XVI. All engaged in working iron mines, furnaces and
 87 founderies and rolling mills; and all persons engaged in
 88 the production or manufacture of salt, lead, copper, sul-
 89 phur, saltpetre or gunpowder, under authority from the
 90 Governors of their respective States, or the Secretary of
 91 War, and not to include laborers, messengers or wagoners.

92 XVII. Artizans and employees in government work
 93 shops, armories, founderies or furnaces.

94 XVIII. One overseer on each plantation cultivated
 95 exclusively by negro labor and owned by any person in
 96 the civil or military service of the Confederate or State
 97 Governments, or any minor, or widow, or unmarried
 98 woman, or person not of sound mind: *Provided*, That
 99 on plantations owned by the same person, and not five

100 miles apart, only one overseer shall be thus exempted :
101 *And provided, further,* That the owner of any such plan-
102 tation, his or her agent or representative shall first pay
103 into the treasury of the State in which said plantation
104 may be located, a sum equal to five dollars for each hand
105 over sixteen and under forty-five years of age, and file
106 therewith his affidavit that it is a true return of the hands
107 between such ages employed on said plantation ; and
108 where the overseer on such plantation, being between the
109 ages of eighteen and thirty-five years, has been enlisted
110 or enrolled in the army since the passage of the act,
111 further to provide for the public defence, approved April
112 16, 1862, and said plantation is at the date of the affidavit
113 aforesaid, without an overseer, the owner thereof, his or
114 her agent, or representative, may pay the said sum and
115 file his affidavit, stating the truth of his said return, and
116 also that his plantation was deprived of an overseer by
117 enrolment or enlistment as aforesaid, thereupon the
118 owner of any such plantation shall be entitled to the
119 Governor's certificate of the payment of said sum and the
120 filing of said affidavit in which certificate shall be stated
121 the name of the overseer sought to be exempted, and

122 upon the production of said certificate to the enrolling
123 officer, the overseer therein named shall be exempted
124 from enrolment, or if already enrolled or enlisted as afore-
125 said shall, on the production of said certificate to the
126 Secretary of War, or the commandant of the camp of
127 instruction, or officer commanding the regiment to which
128 said overseer may belong, be discharged therefrom by the
129 Secretary of War, the commandant or officer aforesaid,
130 and the Governor of each State is hereby authorised and
131 requested to distribute through the county, district or
132 parish authorities the sum thus paid into the treasury for
133 the benefit of the indigent families of soldiers from his
134 State, in the military service of the Confederate States,
135 and also the indigent families of those who have died or
136 been disabled in such service, making said distribution as
137 equally as may be according to the number of such indi-
138 gent families in the several counties, districts or parishes
139 of his State.

1 SEC. 2. All laws and parts of laws heretofore passed
2 by Congress upon the subject of exemptions from military
3 service are hereby repealed.



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